

416 Rec'd PCT/PTO

529588

17 APR 2000

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

INTERNATIONAL APPLICATION NO. : PCT/US98/21860  
INTERNATIONAL FILING DATE : 16 October 1998  
PRIORITY DATE CLAIMED : 16 October 1997  
Applicant(s) (DO/EO/US) : MILLSTEIN, Larry S.  
Title: METHOD FOR PRODUCING ARRAYS AND DEVICES RELATING THERETO

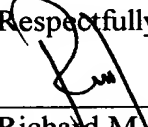
**LETTER CONCERNING CLAIMS TO BE EXAMINED  
IN U.S. NATIONAL PHASE**

The Assistant Commissioner  
of Patents  
Washington DC 20231

Sir:

Prior to calculation of the National fee and examination in the U.S. National Phase of the above-identified International Application, it is to be noted that the claims of the above-identified International Application were amended under Article 19 (as annexed to the International Preliminary Examination Report) and Article 34 (not entered) of the Patent Cooperation Treaty. It is requested, however, that examination in the U.S. National Phase be based on the claims as filed (by substitute specification in response to an Invitation to Correct Defects...) and Published as International Publication WO 99/19711 on April 22, 1999, a copy of said publication being attached for the Examiner's convenience. Any subsequent Preliminary Amendment will be based on these original claims.

Respectfully submitted,

  
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Filed: Monday, April 17, 2000

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FORM PTO-1390  
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE ATTORNEY DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. §371**

LAMILL 2

U.S. APPLICATION NO. (If known, see 37 CFR §1.5)

**09/529588**

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PCT/US98/21860

16 OCTOBER 1998

PRIORITY DATE CLAIMED

16 OCTOBER 1997

TITLE OF INVENTION

METHOD FOR PRODUCING ARRAYS AND DEVICES RELATING THERETO

APPLICANT(S) FOR DO/EO/US

MILLSTEIN, Larry S.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:


1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. §371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. §371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. §371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

Items 13. to 19. below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 C.F.R. §§1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§3.28 and 3.31 is included.
15. ☐ A FIRST preliminary amendment.
  - ☐ A SECOND or SUBSEQUENT preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☐ Certificate of Mailing by Express Mail
19. ☒ Other items or information:

Verified Statement (Declaration) Claiming Small Entity Status (37 C.F.R. §§ 1.9(f) and 1.27(b)) - Independent Inventor  
 Copy of Published Application  
 Letter Concerning Claims to be Examined in U.S. National Phase

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U.S. APPLICATION NO. (if known, see 37 CFR §1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
09/529588		PCT/US98/21860		LAMILL 2	
17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<b>BASIC NATIONAL FEE ( 37 CFR §1.492 (a) (1) - (5)):</b> Search Report has been prepared by the EPO or JPO..... \$840.00 International preliminary examination fee paid to USPTO (37 CFR §1.482)..... \$670.00 No international preliminary examination fee paid to USPTO (37 CFR §1.482) but international search fee paid to USPTO (37 CFR §1.445(a)(2))..... \$760.00 Neither international preliminary examination fee (37 CFR §1.482) nor international search fee (37 CFR §1.445(a)(2)) paid to USPTO..... \$970.00 International preliminary examination fee paid to USPTO (37 CFR §1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... \$96.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$670.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 C.F.R. §1.492(e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	60 - 20 =	40	x \$ 18.00	\$720.00	
Independent claims	6 - 3 =	3	x \$ 78.00	\$234.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 260.00	\$260.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,884.00	
Reduction of 1/2 for filing by small entity, if applicable. A Verified Small Entity Statement must also be filed (Note 37 C.F.R. §§1.9, 1.27, 1.28).				\$942.00	
SUBTOTAL =				\$942.00	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 C.F.R. §1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30					
TOTAL NATIONAL FEE =				\$942.00	
Fee for recording the enclosed assignment (37 C.F.R. §1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§3.28, 3.31). \$40.00 per property.					
TOTAL FEES ENCLOSED =				\$942.00	
				Amount to be refunded:	
				charged:	
a. <input checked="" type="checkbox"/> A check in the amount of \$942.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 13-3402 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 C.F.R. §§1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. §1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:					
MILLEN, WHITE, ZELANO & BRANIGAN, P.C. Arlington Courthouse Plaza I 2200 Clarendon Boulevard, Suite 1400 Arlington, Virginia 22201 (703) 243-6333					
Filed: Monday, April 17, 2000 RML:aek					
SIGNATURE  Richard M. Lebovitz NAME 37,067 REGISTRATION NUMBER					

Applicant or Patentee: Larry S. MILLSTEIN

Attorney's  
Docket No.: LAMILL 2

Serial or Patent No.: PCT/US98/21860 designating the US

Filed or Issued: 16 October 1998

For: METHOD FOR PRODUCING ARRAYS AND DEVICES RELATING  
THERE TO

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(b)) — INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. § 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled

described in: ☐ the specification filed herewith  
application serial no. PCT/US98/21860 filed 16 October 1998  
☒ designating the us  
☐ patent no. \_\_\_\_\_ issued \_\_\_\_\_

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern, or organization  
☐ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION


FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR <u>Larry S. MILLSTEIN</u>	NAME OF INVENTOR	NAME OF INVENTOR
Signature of Inventor 	Signature of Inventor	Signature of Inventor
Date <u>14 April 2000</u>	Date	Date